$~1 (Special Bench)

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ W.P.(C) 6222/2002

SURENDRA PAL SINGH ..... Petitioner

Through: Mr. Abhay Kaushik, Advocate.

versus

UNION OF INDIA & ORS. ..... Respondents

Through: Ms. Ridhima Gaur, Senior Panel Counsel with Mr. Nakul Kumar, Advocate

CORAM:
HON'BLE MR. JUSTICE SANJEEV SACHDEVA
HON'BLE MR. JUSTICE SANJEEV NARULA

O R D E R

% 12.01.2024

CM APPL 36286/2019 (modification of judgment dt. 11.02.2019)

1. Petitioner had sought retrospective promotion to the post of ASO and consequential benefits thereon.

2. By judgment dated 11.02.2019, this Court had considered the case of the petitioner as also his submission that a junior to the petitioner Shri I.P. Sharma had been granted notional promotion to the post of ASO with effect from 06.04.1972. Holding that the petitioner was entitled to the same relief, petitioner was granted notional promotion to the post of ASO with effect from 06.04.1972.

3. Petitioner in the clarification application seeks consequential notional promotion to higher post of SO, JAG, DIG and IG. This aspect was specifically considered in the judgment dated 11.02.2019,

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clarification of which is sought herein, and it was held that since he was not actually promoted to any of the aforesaid post during his service and no DPC was held to consider him for promotion to the said post and more than two decades have lapsed since he has superannuated, petitioner could not be granted notional promotion to the said posts.

4. Since this Court has already specifically considered the request of the petitioner for notional promotion to higher post and declined to grant the same, same does not constitute a ground for clarification or modification of the said order.

5. Accordingly, the application is dismissed.

SANJEEV SACHDEVA, J

SANJEEV NARULA, J

JANUARY 12, 2024
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